

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Case No. 2:09-CR-172 JCM (GWF)

Plaintiff(s),

ORDER

v.

ROBERT GUERRERO,

Defendant(s).

Presently before the court is defendant Roberto Guerrero's motion asking this court to make a recommendation to the Federal Bureau of Prisons ("BOP") that he serve his twelve-month revocation sentence on home confinement. (ECF No. 74). The government has responded with non-opposition. (ECF No. 75).

Defendant will soon be transferred from the Nevada Department of Corrections to the BOP for his 12-month revocation sentence. (ECF No. 74). Because he "has now been in continuous custody for more than four years, has engaged in significant rehabilitative programming, and poses no danger to the public," defendant requests that this court recommend to the BOP that he serve his sentence on home confinement. (*Id.*).

This court has the authority to make "non-binding recommendations to the Bureau of Prisons at any time." *United States v. Ceballos*, 671 F.3d 852, 856 n. 2 (9th Cir. 2011). The requested recommendation does not correct or amend the judgment.

This government does not oppose this motion. *See* Local Rule LCR 47-3. However, this court finds that defendant's request is appropriate on the merits as well. *See* 18 U.S.C. § 3621(b).

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DATED December 16, 2020.

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